

Consumer Law Center, Inc.

12 South First Street, Suite 1014

San Jose, CA 95113-2418

(408) 294-6100

Fax: (408) 294-6190

FAX COVER SHEET

FAX NUMBER TRANSMITTED TO: 626-799-8419

To: Flint C. Zide
of: Harris and Zide
From: Fred W. Schwinn
Client/Matter: Katherine R. DelaCruz
Discover Account Ending 0389
Date: November 5, 2014

DOCUMENTS	NUMBER OF PAGES*
Letter	2

COMMENTS:
Original will NOT follow.



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www.sjconsumerlaw.com

Via Fax to: 626-799-8419

November 5, 2014

Flint C. Zide
Harris and Zide
1445 Huntington Drive, Suite 300
South Pasadena, CA 91030

In the Matter of: Katherine R. DelaCruz
16735 Rita Drive
Morgan Hill, CA 95037-5282

Your Account or File No(s): Discover Bank
Account Ending 0389

Dear Mr. Zide:

I have attached a copy of your most recent correspondence for your reference. Please be advised that the consumer debtor in the matter referenced above has retained the services of the Consumer Law Center, Inc., to assist in this matter. The purpose of this letter is two-fold. First, I wish to provide you with written notice in your capacity as a creditor, collection agent, or collection attorney that this consumer debtor, now our client, is in fact and in law REPRESENTED BY AN ATTORNEY. As a result of this notice, and pursuant to Sections 1692b(6) and 1692c(a)(2) of Title 15 of the United States Code and Section 1788.14(c) of the California Civil Code, you are to immediately terminate any further direct or indirect contacts with our client. Please note that such prohibited contacts include, but are not limited to, all forms of communication by letter, phone, fax, email or any other means. This also includes any contact directly or indirectly with any employer, family member, friend, or other creditor of our client.

Second, this letter is intended to dissuade your firm from filing a lawsuit against our client and reducing the amount that is allegedly owed to a judgment. Should you choose to file a lawsuit against our client in this matter, please be advised that I have reviewed with our client the list of California exemptions provided by the Judicial Council of California and I have determined that our client owns no property that could be subject to attachment or levy. Furthermore, our client's only source of income is Social Security and pension benefits which are likewise exempt under both state and federal law. Our client is therefore "judgment proof." Should you decide to reduce the amount allegedly owed to a judgment, it will remain uncollectible.

Upon receipt of this letter, any future direct or indirect contacts with our client will result in our office filing a claim against you under the Federal Fair Debt Collection Act, the California Civil Code, and any other available and applicable state or federal laws. If it becomes necessary to file any and all such

claims, then please be advised and take due notice that our client will be seeking actual damages, statutory damages, court costs, and our reasonable attorney fees based on our hourly rate of \$ 375.00. You are also hereby placed on notice that if unlawful and illegal conduct persists or is egregious, then our client will also seek an award of punitive damages as may be determined at the discretion of the Court.

Based on the foregoing, any further communications concerning our client and/or the subject debt must be directed to the Consumer Law Center, Inc. Be advised that any request for information will be addressed in a reasonable time period.

Until advised otherwise, you should mark this matter as "disputed" pursuant to U.S.C. §§ 1692e(8) and 1692g(b). I anticipate your cooperation herein.

Finally, please note that our client is a senior citizen and any further collection communications will cause her undue stress and anxiety. See Cal. Civil Code § 3345.

Very Truly Yours,

A handwritten signature in black ink, appearing to read "Fred W. Schwinn", is written over the typed name.

Fred W. Schwinn, Esq.

MEMORY TRANSMISSION REPORT

TIME : 11-05-'14 13:26
 FAX NO.1 : 408-294-6190
 NAME : Consumer Law Center

FILE NO. : 595
 DATE : 11.05 13:24
 TO : 816267998419
 DOCUMENT PAGES : 3
 START TIME : 11.05 13:24
 END TIME : 11.05 13:26
 PAGES SENT : 3
 STATUS : OK

*** SUCCESSFUL TX NOTICE ***

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